



TORNEY DOCKET NO.
11321-P012USD2

PATENT
SERIAL NO. 10/035,075

UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Richard E. Smalley et al.
Group Art Unit: 1754
Serial No.: 10/035,075
Filed: December 28, 2001
Title: METHOD FOR CUTTING NANOTUBES

<p align="center"><u>CERTIFICATE OF MAILING</u></p> <p>I hereby certify that this Supplemental Information Disclosure Statement with SB/08 A-B (Form 1449) and 2 references being deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231, on January 6, 2003.</p> <p align="center"> GRACIE SOLIS</p>

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Supplemental Information Disclosure Statement is being submitted in connection with the above-identified application for patent. Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the patentability of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. § 1.56.

While this Supplemental Information Disclosure Statement may be "material" pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

The attached form, PTO-1449, provides a listing of patents, publications, or other information as required by 37 C.F.R. § 1.98(a)(1).

RECEIVED
JAN 15 2003
TECHNOLOGY CENTER 1700

**ATTORNEY DOCKET NO.
11321-P012USD2**

**PATENT
SERIAL NO. 10/035,075**

A copy of each of the items identified on the attached Form PTO-1449 is supplied herewith, except for the pending patent applications, for which no copies are being submitted.

Applicants believe that the mailing of a first Office Action on the merits has not occurred in this Application. Furthermore, each item of information contained in this Supplemental to Resubmitted Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Supplemental to Resubmitted Information Disclosure Statement. Accordingly, Applicants believe that no fee is due at this time. 37 C.F.R. § 1.97(b) and (e)(1). However, the Assistant Commissioner is hereby authorized to charge any fees to the Deposit Account No. 23-2426 (11321-P012USD2).

Respectfully submitted,

By: 

Ross Spencer Garsson
Reg. No. 38,150

WINSTEAD SECHREST & MINICK P.C.
P.O. Box 50784
1201 Main Street
Dallas, Texas 75250-0784
Telephone: (512)370-2870
Facsimile: (512)370-2850

ATTORNEYS FOR APPLICANTS

AUSTIN_1\205455\1
11321-P012USD2 01/06/2003



Place of FORM PTO-1449 (Modified)

Serial No.: 10/035,075
Applicants: Richard E. Smalley et al.
Filing Date: December 28, 2001
Group: 1754
Atty. Docket No.: 11321-P012USD2

**LIST OF PATENTS AND PUBLICATIONS FOR
APPLICANTS' INFORMATION DISCLOSURE
STATEMENT**

Reference Designation

U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
____AAA	5,698,175	12/16/1997	Hiura et al.	423	447.1	
____ABA						
____ACA						

FOREIGN PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Country	Class	Subclass	Translation Yes No
____ADA						

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner
Initial

____AEA

AJAYAN et al., "Opening carbon nanotubes with oxygen and implications for filing," *Nature*, Volume 362, pp. 522-525 (April 8, 1993).

Examiner:

Date Considered:

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

AUSTIN_I\205484\1
11321-P012USD2 01/06/2003

RECEIVED
JAN 15 2003
TECHNOLOGY CENTER 1700